PATENT COOPERATION TREATY

	•			REC'D () 2 AUG 2005 WHITEN-OPINIONFOF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43 bis. 1) Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)				
	see form PC	CT/ISA/220	·					
	cant's or agent's file re			FOR FURTHER See paragraph 2 belo				
International application No. PCT/IB2005/051221 International filing date 14.04.2005				(day/month/year)	Priority date (day/month/year) 20.04.2004			
tern	national Patent Classi J2/47, G11B7/24	fication (IPC) or	both national classification	and IPC				
nnli	cant NINKLIJKE PHILI	PS ELECTR	ONICS N.V.					
•	This opinion cor	ntains indicati	ions relating to the fo	llowing items:	¿			
	☑ Box No. I	Basis of the o	pinion					
		Deineiha						
	☐ Box No. III	Non-establish	ment of opinion with re	gard to novelty, invent	tive step and industrial applicability			
	Box No. IV	1 - The at similar	of invention					
,	⊠_Box No. V	Reasoned sta applicability;	itement under Rule 431 citations and explanation	bis.1(a)(i) with regard to ons supporting such sta	o novelty, inventive step or industrial atement			
	☐ Box No. VI	Certain docur						
	☐ Box No. VII	Certain defec	ts in the international a	pplication				
	☐ Box No. VIII	Certain obser	vations on the internat	ional application	-			
2.	FURTHER ACTI	ON						
If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered.								
•	If this opinion is, submit to the IPE months from the whichever expire	=A a written re date of mailin	bove, considered to be ply together, where apped of Form PCT/ISA/220	a written opinion of the propriate, with amendre or before the expiration	ne IPEA, the applicant is invited to ments, before the expiration of three on of 22 months from the priority date,			
	For further optio	ns, see Form l	PCT/ISA/220.		·			
	For further detai	ls, see notes t	o Form PCT/ISA/220.	÷				
3.		•		•				



European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465

Poth, H

Telephone No. +49 89 2399-2149



International application No. PCT/IB2005/051221

	Box No. I Basis of the opinion			
1.	With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.			
	This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).			
 With regard to any nucleotide and/or amino acid sequence disclosed in the international applicate necessary to the claimed invention, this opinion has been established on the basis of: 				
	a. type of material:			
	□ a sequence listing			
	table(s) related to the sequence listing			
	b. format of material:			
	□ in written format			
	in computer readable form			
	c. time of filing/furnishing:			
	contained in the international application as filed.			
	filed together with the international application in computer readable form.			
	furnished subsequently to this Authority for the purposes of search.			
3.	In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.			
4.	Additional comments:			

International application No. PCT/IB2005/051221

	Box	No. IV	Lack of unity of i	nvention						
1.	☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:									
	paid additional fees.									
	paid additional fees under protest.									
			not paid additional	ees.		**				
		the ap	plicant to pay additio	nal fees.		ty of invention is not complied with and chose not to				
3.	This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is									
	Ø c	omplie	ed with							
	□ r	□ not complied with for the following reasons:								
4.	Consequently, this report has been established in respect of the following parts of the international application:									
	□ all parts.									
	☐ the parts relating to claims Nos.									
			·							
	Вох	No. V	Reasoned states	ment und	er Rule 43	bis.1(a)(i) with regard to novelty, inventive step on supporting such statement)r			
4		ustrial tement		ons and c						
1.		elty (N	•	Yes: No:	Claims Claims	1-15				
	inve	entive s	step (IS)	Yes: No:	Claims Claims	3,4,6,7,9 1,2,5,8,10-15				
	Ind	ustrial	applicability (IA)	Yes: No:	Claims Claims	1-15				
2	. Cita	ations a	and explanations							

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:

D1: US2002/0191517 D2: US2003/0161224

2. D1 already describes a record carrier comprising as a mask layer the visible light characteristic changing layer 18 (cf. par. [0030] and fig.19) and as a thermal barrier layer the scattering layer 24 (cf. loc. cit.).

Thus, claim 1 differs from what is already described only in that instead of the at least one coloured pixel pattern layer there is simply the reflection 16 (cf. loc. cit.).

3. To provide a coloured pixel pattern, however, has been obvious according to D2 (cf. e.g. par. [0033]) in order to achieve coloured labels.

This applies mutatis mutandis to the feature of claims 2, 5, 8, 10, 11, 12, 13 to 15.

4. As to the features of the remaining claims 3, 4, 6, 7 and 9 there is no prior art available which would have suggested their features (cf. ISR).

Re Item IV

Lack of unity of invention

5. It is noted however, that said claims 3, 4, 6, 7 and 9 relate to different concepts in view of R.13.2 ("unity").

Further remarks

- 1. D1 is not cited in the description (R.5.1(a)(ii)).
- 2. The claims are not delimited from D1 (R.6.3(b)(i)).

PATENT COOPERATION TREATY

				DECAL OF ALLO SECTION			
				I KE	C'D (1 2 AUG 2005		
				WHITEN-OPINIONFOF THE			
	see form PCT/ISA/220			INTERNATIO	NAL SEARCHING AUTHORITY		
				(PCT Rule 43bis.1)		
				Date of mailing			
				(day/month/year) see form PCT/ISA/210 (second sheet) FOR FURTHER ACTION			
	icant's or agent's file r	eference					
ee bbii	form PCT/ISA/22	0		See paragraph 2 below			
	national application N		International filing date (o	day/month/year)	Priority date (day/month/year)		
	T/IB2005/051221		14.04.2005		20.04.2004		
		ification (IPC) or	both national classification:	and IPC	•		
141	J2/47, G11B7/24						
pp	licant	<u> </u>					
(0	NINKLIJKE PHIL	IPS ELECTRO	ONICS N.V.				
	This opinion co	ntains indicati	ions relating to the foll	lowing items:	· · ·		
	Box No. I Basis of the opinion				•		
	Dringibe				87 - b. 1814. a		
	Box No. III	Non-establish	ment of opinion with reg	ard to novelty, inver	tive step and industrial applicability		
	Box No. IV	1 = it of contra	of invention		•		
	Box No. V		tament under Rule 43hi	s.1(a)(i) with regard	to novelty, inventive step or industrial		
	-	applicability; of Certain docur	citations and explanation	a supporting office	•		
	☐ Box No. VI	Certain defec	ts in the international ap	plication			
	☐ Box No. VII	Celtain delec		ational application			
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2.	FURTHER ACT	ION		inion.	will usually be considered to be a		
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International application No. PCT/IB2005/051221

	Box No. I Basis of the opinion
1.	With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
	☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
	a. type of material:
	□ a sequence listing
	□ table(s) related to the sequence listing
	b. format of material:
	□ in written format
	in computer readable form
	c. time of filing/furnishing:
	□ contained in the international application as filed.
	filed together with the international application in computer readable form.
	☐ furnished subsequently to this Authority for the purposes of search.
3.	In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4.	Additional comments:

International application No. PCT/IB2005/051221

	Box	No. IV	Lack of unity of i	nvention					
1.		In resp	onse to the invitation	(Form P	CT/ISA/206) to pay additional fees	, the applican	t has:	
			paid additional fees						
			paid additional fees	under pro	otest.				
			not paid additional f	ees.			· •••		
		the ap	plicant to pay addition	nal fees.		y of invention is not co			
3.	This	s Autho	rity considers that the	e requirem	ent of unit	y of invention in accord	lance with Ru	le 13.1, 13.2 ar	nd 13.3 is
		complie	d with			·			
		not com	plied with for the foll	owing rea	sons:				
4.	Col	nsequer	ntly, this report has b	een estab	lished in re	espect of the following	parts of the in	ternational app	lication:
	□ all parts.								
		the parl	ts relating to claims N	los.					
	Во	x No. V	Reasoned states	nent und	er Rule 43	bis.1(a)(i) with regard as supporting such s	l to novelty, i tatement	nventive step	or
1.		i <u>ustriai</u> atement		<u></u>				·	
1.				Yes:	Claims	1-15	•		
	No	velty (N)	No:	Claims			•	
	inv	entive s	step (IS)	Yes:	Claims	3,4,6,7,9			
				No:	Claims	1,2,5,8,10-15			
	Inc	Justrial a	applicability (IA)	Yes: No:	Claims Claims	1-15	•		
2	Cit	ations a	and explanations			•			

see separate sheet

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

PCT/IB2005/051221

·Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document:

D1: US2002/0191517 D2: US2003/0161224

2. D1 already describes a record carrier comprising as a mask layer the visible light characteristic changing layer 18 (cf. par. [0030] and fig.19) and as a thermal barrier layer the scattering layer 24 (cf. loc. cit.).

Thus, claim 1 differs from what is already described only in that instead of the at least one coloured pixel pattern layer there is simply the reflection 16 (cf. loc. cit.).

3. To provide a coloured pixel pattern, however, has been obvious according to D2 (cf. e.g. par. [0033]) in order to achieve coloured labels.

This applies mutatis mutandis to the feature of claims 2, 5, 8, 10, 11, 12, 13 to 15.

4. As to the features of the remaining claims 3, 4, 6, 7 and 9 there is no prior art available which would have suggested their features (cf. ISR).

Re Item IV

Lack of unity of invention

5. It is noted however, that said claims 3, 4, 6, 7 and 9 relate to different concepts in view of R.13.2 ("unity").

Further remarks

- 1. D1 is not cited in the description (R.5.1(a)(ii)).
- 2. The claims are not delimited from D1 (R.6.3(b)(i)).